

REMARKS

The final Office Action maintains the rejection of Claims 1-29 under 35 U.S.C. 103(a) as being obvious over U.S. Patent No. 6,889,197 to Derek Lidow (hereinafter "the Lidow '197 patent"). As described below, independent Claims 1 and 16 have been amended in order to further patentably distinguish the claimed invention. Based on the foregoing amendments and the following remarks, it is respectfully requested that the application be reconsidered and the claims be allowed.

As now amended, independent Claim 1 generally recites a supply chain visibility system including a processing element for generating graphical user interfaces for presenting a) an initial release panel for displaying a preliminary configuration to facilitate negotiations between the suppliers and the at least one recipient as to changes in the preliminary configuration and establishment of an associated delivery schedule, b) a configuration panel for displaying an agreed-upon final configuration and delivery schedule in which the final configuration includes changes from the preliminary configuration proposed by one or more suppliers, c) a template panel for displaying a common set of parts to each of a plurality of effectivities, d) a statement of work panel for displaying a required final set of parts for each of the effectivities derived from the common set of parts and e) a shipping entry panel configured to receive shipping status data on actual parts being shipped from the suppliers and needed to complete the required final set of parts. The processing element of independent Claim 1 is also configured to compare the shipping status data received by the shipment entry panel to the shipping status of the actual parts and to update the shipping status of the actual parts.

The Lidow '197 patent describes a supply chain architecture having a centralized supply chain server that is communicably connected to customers, suppliers, logistics providers, carriers and financial institutions. The supply chain server receives forecasts from customers detailing the customers' orders. The supply chain server analyzes these forecasts to ensure that the forecast conform to contractual arrangements and do not contain errors. Once the forecast is validated, the supply chain server sends the forecasted demands to at least one supplier. The supply chain server then controls processes involved in the distribution of the product from the suppliers to the customers including the generation and payment of invoices.

As noted above, independent Claim 1 now recites, among other elements, a processing element configured to generate “an initial release panel operable to display a preliminary configuration to facilitate negotiations between the suppliers and the at least one recipient as to changes in the preliminary configuration and establishment of an associated delivery schedule”. Thereafter, the processing element is configured to generate “a configuration panel operable to display a final configuration and delivery schedule agreed to by the suppliers and the at least one recipient and incorporating changes to the preliminary configuration from one or more suppliers”. As described in page 10, lines 8-31 and page 11, lines 14-25 of the present application, the supply chain visibility system permits a recipient, such as a customer, to propose a preliminary configuration and then to enter into negotiations with the suppliers, both as to changes in the preliminary configuration itself and to establish an appropriate delivery schedule. As such, changes to the preliminary configuration from one or more of the suppliers may be incorporated into the final configuration along with the agreed-upon delivery schedule prior to generating the statement of work and other related documentation, such as purchase orders, etc.

By fostering a collaborative negotiation between the suppliers and the recipient during an early stage of the process, it is anticipated that subsequent changes to the final configuration can be reduced and efficient operation of the supply chain can be facilitated. While a supply chain visibility system as set forth by amended independent Claim 1 can be useful in a variety of applications, the supply chain visibility system of amended independent Claim 1 which includes initial collaboration between the suppliers and the recipient prior to the establishment of the final configuration and the associated delivery schedule is particularly useful in the context of a supply chain for a complex product, such as an aircraft, in which at least some of the parts or services are order dependent in that certain steps of the assembly process must be performed before other steps can be begun or completed and in which delay can result in substantial lost revenue.

In contrast, the Lidow ‘197 patent does not teach or suggest the generation of an initial release panel to display a preliminary configuration to facilitate negotiations between the suppliers and a recipient as to changes in the preliminary configuration and establishment of an associated delivery schedule, as now set forth by amended independent Claim 1. Instead, the Lidow ‘197 patent describes a customer submits its demand for desired product to a supply chain

server. Orders are then issued to one or more suppliers to fulfill the customer's demand. While the Lidow '197 patent describes a validation of the customer demand, such as by ensuring that it is complete and in a standard format, the Lidow '197 patent does not teach or suggest the generation of an initial release panel that displays a preliminary configuration which is susceptible to changes as a result of negotiations between the suppliers and a recipient, as now set forth by amended independent Claim 1. Consequently, the Lidow '197 patent also fails to teach or suggest the generation of a configuration panel that displays a final configuration and delivery schedule that incorporates changes to the preliminary configuration from one or more suppliers. Indeed, as noted above, the Lidow '197 patent does not teach or suggest that the suppliers can make changes to a preliminary configuration that are incorporated into a final configuration. Instead, a supplier merely provides parts in accordance with the demand identified by the customer.

For the reasons above, it is submitted that the Lidow '197 patent fails to teach or suggest Claim 1 of the present application. In a manner similar to Claim 1, independent Claim 16 has also been amended to generally recite, among other things:

- displaying, using an initial release panel of each graphical user interface, a preliminary configuration;

- negotiating as to changes in the preliminary configuration and establishment of an associated delivery schedule, wherein negotiating comprises receiving changes to the preliminary configuration from one or more suppliers;

- displaying, using a configuration panel of each graphical user interface, a final configuration and delivery schedule agreed to by the suppliers and the at least one recipient and incorporating changes to the preliminary configuration from one or more suppliers

As described above in conjunction with amended independent Claim 1, the Lidow '197 patent fails to teach or suggest the display of an initial release panel which provides a preliminary configuration. Additionally, the Lidow '197 patent fails to teach or suggest negotiating changes in the preliminary configuration and the establishment of an associated delivery schedule as a result of changes to the preliminary configuration provided by one or more suppliers, as now set forth by amended independent Claim 16. Instead, the Lidow '197 patent merely describes the suppliers fulfilling the consumer demand without negotiation as to

changes to a preliminary configuration that are subsequently reflected in a final configuration, as now also recited by amended independent Claim 16 which states that a final configuration and delivery schedule are displayed which incorporates changes to the preliminary configuration from one or more suppliers.

Thus, Claim 16 is not taught or suggested by the Lidow '197 patent for at least the same reasons as described above in conjunction with Claim 1. The remaining Claims 2-15 and 17-29 depend from independent Claims 1 or 16 and are therefore patentably distinct from the Lidow '197 patent for at least the same reasons as described above in conjunction with the respective independent claims. The rejections of Claims 1-29 under 35 U.S.C. 103(a) have therefore been overcome.

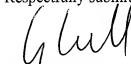
CONCLUSION

In view of the amendments to the claims and the remarks presented above, it is respectfully submitted that Claims 1-29 of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

Appl. No.: 09/846,424
Amdt. dated 02/06/2008

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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